

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jun 01, 2023

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

NATIONAL SHOOTING SPORTS
FOUNDATION, INC.,

Plaintiff,

v.

ROBERT W. FERGUSON, Attorney
General of the State of Washington,

Defendant.

ALLIANCE FOR GUN
RESPONSIBILITY,

Defendant-Intervenor.

No. 2:23-CV-00113-MKD

ORDER GRANTING MOTION TO
INTERVENE AND MOTION TO
EXPEDITE

ECF Nos. 28, 29

Before the Court is nonparty the Alliance for Gun Responsibility's Motion to Intervene as a Defendant, ECF No. 29, and related Motion to Expedite, ECF No. 28. The Alliance for Gun Responsibility seeks to intervene as a defendant in this matter. Intervention is not opposed. ECF No. 29 at 4.

In a separate matter, *Brumback, et al. v. Ferguson, et al.*, No. 1:22-CV-

1 03093-MKD, the Court granted a similar request to intervene from the same
2 intervenor. 343 F.R.D. 335, 339 (E.D. Wash. 2022). The Court also recently
3 granted a similar request in *Banta, et al. v. Ferguson, et al.*, No. 2:23-CV-00112-
4 MKD, ECF No. 29 (E.D. Wash. May 19, 2023).

5 In *Brumback*, the Court denied intervention by right pursuant to Fed. R. Civ.
6 P. 24(a) and granted intervention by permission pursuant to Fed. R. Civ. P. 24(b).
7 343 F.R.D. at 339. Given the similar nature of the cases, the lack of opposition,
8 and referring to the Court's analysis in *Brumback*, the Court grants the Alliance
9 permission to intervene in this case pursuant to Fed. R. Civ. P. 24(b).

10 As the Alliance identifies in its Motion to Intervene, the Court's May 15,
11 2023 Order instructs that answers are due 21 days following a ruling on Plaintiffs'
12 Motion for Preliminary Injunction. ECF No. 25. The Alliance shall adhere to that
13 schedule as an intervenor-defendant.

14 Pursuant to the Court's May 3, 2023 Order, the time to respond to Plaintiffs'
15 Motion for Preliminary Injunction expires June 1, 2023, and the time to reply
16 expires June 15, 2023. ECF No. 14. The Alliance explains that it seeks to avoid
17 causing undue delay or prejudice. ECF No. 29 at 3. If the Alliance seeks to file a
18 response to the Motion for Preliminary Injunction after June 1, 2023, it must also
19 file a motion for leave to file an untimely response indicating why its late response
20 is justified. Any response filed after June 1, 2023, shall not exceed 15 pages.

1 Plaintiffs may file a single reply to any responses to their Motion for Preliminary
2 Injunction.

3 Accordingly, **IT IS HEREBY ORDERED:**

4 1. The Alliance for Gun Responsibility's Motion to Intervene,
5 **ECF No. 29**, is **GRANTED**. The related Motion to Expedite, **ECF No. 28**,
6 is **GRANTED**.

7 2. The Alliance for Gun Responsibility shall be allowed to
8 proceed as Defendant-Intervenor in this matter.

9 3. The District Court Executive is **DIRECTED** to amend the case
10 caption as set forth in the caption of this Order.

11 4. Defendant-Intervenor shall adhere to the briefing schedule set
12 for the in the May 3, 2023 Order, ECF No. 14.

13 5. Defendant-Intervenor shall file their Answer 21 days following
14 a ruling on Plaintiffs' Motion for Preliminary Injunction.

15 **IT IS SO ORDERED.** The District Court Executive is directed to file this
16 order and provide copies to the parties.

17 DATED June 1, 2023.

18 s/Mary K. Dimke
19 MARY K. DIMKE
20 UNITED STATES DISTRICT JUDGE